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Attorney Docket No.: 27074U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WOLLIN

Serial No.: 10/560,116

Group Art Unit: 1654

Filed: December 9, 2005

Examiner: KHANNA, H.

For: COMPOSITION COMPRISING A PULMONARY SURFACTANT AND A PDE5 INHIBITOR FOR THE TREATMENT OF LUNG DISEASES

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

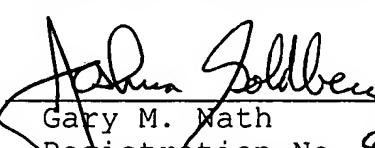
- (1) Transmittal Letter; and
- (2) Response to Restriction/Election Requirement.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: September 15, 2006

By:

  
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A PDE5 INHIBITOR FOR THE TREATMENT OF LUNG  
DISEASES**

**RESPONSE TO RESTRICTION / ELECTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22314-1450

Sir:

This is in response to the Restriction / Election requirement mailed on August 21, 2006. The Restriction / Election requirement has a one (1) month period for response. Accordingly, this Response is timely filed.

**REMARKS**

Claims 3-25 and 29-48 are pending in the captioned application. The Examiner has indicated that claims 3-25 and 29-48 are subject to restriction and/or election according to the following groups:

Group I: Claims 3-5, 7-12, 14-15 and 34-35, drawn to a method of preventing or reducing the onset of symptoms of a disease, comprising administering to a patient in need thereof an effective amount of (1) a pulmonary surfactant and (2) a PDE5 inhibitor.

Group II: Claims 6, 13 and 29-33, drawn to a method of preparing the pharmaceutical composition.

Group III: Claims 16-25 and 36-48, drawn to a pharmaceutical composition comprising an effective amount of a pulmonary surfactant and an effective amount of a PDE5 inhibitor.

The Restriction / Election requirement also requires an election of species of "a pulmonary surfactant and a phosphodiesterase-5 inhibitor...to which the claims shall be restricted if no generic claim is finally held to be allowable."

ELECTION

Applicants elect Group I, drawn to claims 3-5, 7-12, 14-15 and 34-35 without traverse.

As the pulmonary surfactant, applicants elect lusupultide.

As the phosphodiesterase-5 inhibitor, applicants elect sildenafil.

CONCLUSION

In view of the foregoing, applicants respectfully request the Examiner to reconsider and withdraw the restriction requirement, and to examine all of the claims pending in this application.

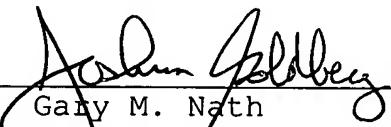
If the Examiner has any questions or wishes to discuss this matter, the Examiner is welcomed to telephone the undersigned attorney.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

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